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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 UNITED STATES OF AMERICA, ) No. CR 15-00051 JST  
12 )  
Plaintiff, ) STIPULATION AND ~~PROPOSED~~  
13 ) ORDER TO CONTINUE HEARING DATE  
14 vs. ) TO JULY 17, 2015 AND TO EXCLUDE  
15 ) TIME UNDER THE SPEEDY TRIAL ACT  
16 )  
THANH TRUONG, ) Hearing Date: June 26, 2015  
17 ) Time: 9:30 a.m.  
Defendant. )  
\_\_\_\_\_ )

18  
19 The above-captioned matter is set on June 26, 2015 before this Honorable Court for a  
20 status hearing. The parties jointly request that the Court continue this matter to July 17, 2015, at  
21 9:30 a.m., and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161,  
22 between June 26, 2015 and July 17, 2015.

23 On January 22, 2015, the Grand Jury charged Mr. Truong in three counts with engaging  
24 in the unlicensed business of manufacturing firearms, conspiracy to engage in the unlicensed  
25 business of manufacturing firearms and with the possession or transfer of a machine gun.  
26 Counsel for Mr. Truong was appointed in this case on February 24, 2015. On May 15, 2015, the

1 government produced supplemental discovery to the defense, which included jail call recordings,  
2 a forensic report for a computer seized and a hard drive containing a digital image of that  
3 computer's hard drive. The defense needs additional time to review this new discovery because  
4 counsel for Mr. Truong was out of the office on leave from May 29 through June 20, 2015. In  
5 addition, defense counsel has requested copies of search warrants for the computer and for a  
6 cellular telephone that were seized and searched in this case. Counsel needs this discovery to  
7 assess any potential motions that can be filed.

8 As a result, counsel for Mr. Truong needs additional time to review the discovery and to  
9 research and to investigate the case. For these reasons, the defense requests additional time to  
10 prepare, and the parties agree that it is appropriate to continue this case until July 17, 2015.

11 The parties stipulate and agree that the ends of justice served by this continuance  
12 outweigh the best interest of the public and the defendant in a speedy trial. The parties further  
13 agree that the failure to grant this continuance would unreasonably deny counsel for defendant  
14 the reasonable time necessary for effective preparation, taking into account the exercise of due  
15 diligence. Accordingly, the parties agree that the period of time from June 26, 2015 until July  
16 17, 2015, should be excluded in accordance with the provisions of the Speedy Trial Act, 18  
17 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel, taking into  
18 account the exercise of due diligence.

1 DATED: June 23, 2015

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/S/  
SCOTT D. JOINER  
Assistant United States Attorney

2  
3 DATED: June 23, 2015

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/S/  
ANGELA MILELLA HANSEN  
Assistant Federal Public Defender

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

1. Given that defense counsel needs additional time to review new discovery and that the defense has requested that additional discovery be produced;

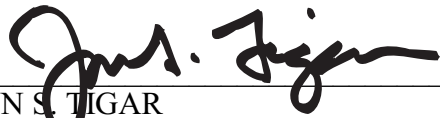
2. Given that the defense needs additional time to discuss this case and the evidence with defendant;

3. Given that these above-listed tasks are necessary for the defense preparation of the case and that the failure to grant the requested continuance would unreasonably deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence;

4. Given that the ends of justice served by this continuance outweigh the best interest of the public and defendant in a speedy trial;

Based on these findings, it is hereby ordered that the status hearing date of June 26, 2015, scheduled at 9:30 a.m., is vacated and reset for status on July 17, 2015 at 9:30 a.m. in San Francisco, California. It is further ordered that time is excluded pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from June 26, 2015 through July 17, 2015.

DATED: June 24, 2015

  
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JON S. TIGAR  
United States District Judge